

U.S. Department of Justice

DTB:EMM
90-11-2-32

Site: New Bedford
Break: 11.5.62
Other: 57584

Washington, D.C. 20530
February 29, 1988

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Re: Detailed Analysis of Remedial
Technologies for the New Bedford
Harbor Feasibility Study

Dear Counsel:

This letter is in response to your request at the close of our February 18 meeting on the proposed pilot dredging study for additional meetings to discuss the Detailed Analysis of Remedial Technologies for the New Bedford Harbor Feasibility Study (DART). Before evaluating whether meetings on the DART would be appropriate, we are requesting that you submit any comments you may have in writing. If the written comments raise issues for further discussion, we can discuss setting up a meeting after the Agency has had an opportunity to review the comments. We ask that you submit your comments as soon as possible, preferably by March 15. If you need more time for submitting comments, please contact me to set a date.

With regard to your request for a March 15 meeting on the DART's elimination of in situ biodegradation from further consideration, the reasons for that conclusion are set forth at pages 4-46 through 4-49 of the report. Please note that the text defines in situ biodegradation very specifically as a process which is accomplished by enhancing the capabilities of either the indigenous microbes or an exogenous source of microbes. The

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report states that in situ biodegradation "has not yet been successfully demonstrated for PCB degradation in any environment, nor for any contaminants in sediments." DART at 4-48 through 4-49. If you have information indicating that in situ biodegradation has been successfully demonstrated for PCBs in some environmental settings, or that the process has been successfully demonstrated for any contaminants in sediments, you should submit that information for consideration with your written comments on the DART as soon as possible. Unless additional information becomes available on in situ biodegradation, however, the Agency is not in a position to reevaluate the conclusion in the DART to eliminate that process from further consideration. Given the present lack of evidence of effective in situ biodegradation for any contaminant in a marine environment or for PCBs in any environment, we do not believe a meeting on that process would be worthwhile for any of the parties.

In contrast, the use of a biological treatment facility for PCB-contaminated sediments is a methodology that has been retained for further consideration for the site. DART at 6-1 et seq. As the DART points out, the Agency is in the process of arranging for "bench test studies" on this and other technologies based on responses to Requests for Proposals (RFPs) issued last year. Copies of those RFPs were made available to you at the time of issuance.

Regarding biological alteration of PCBs in general, we have been seeking your assistance in providing the Agency with certain information, documentation, and sampling materials in the possession of Dr. John Brown with little success. If you are sincere in your requests to provide meaningful input to the RI/FS process in this case, then your cooperation in providing such relevant information would be the most effective manner in which to accomplish your goal.

With regard to your request for a meeting on the remaining technologies presented in the DART, we request that you submit written comments as discussed above. After we have had an opportunity to review your submissions, we can better evaluate whether a meeting to discuss the comments would be productive.

Please feel free to contact me (202/633-3974) if you have any questions.

Sincerely,

Roger J. Marzulla
Assistant Attorney General
Land and Natural Resources Division

By:

A handwritten signature in dark ink, appearing to read "Ellen M. Mahan", with a long horizontal flourish extending to the right.

Ellen M. Mahan
Attorney, Environmental Enforcement
Section

cc: Frank Ciavattieri
Charles Bering
William D. Brighton
Colene Gaston
Nancy Preis